
To: PENNINGTON SEED, INC. (atltrademarks@wcsr.com)
Subject: TRADEMARK APPLICATION NO. 76535843 - REBEL - P004
Sent: 5/20/2008 5:30:29 PM
Sent As: ECOM112@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE**SERIAL NO:** 76/535843**MARK:** REBEL**CORRESPONDENT ADDRESS:**

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GENERAL TRADEMARK INFORMATION:
<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: PENNINGTON SEED, INC.**CORRESPONDENT'S REFERENCE/DOCKET
NO:**

P004

CORRESPONDENT E-MAIL ADDRESS:
atltrademarks@wcsr.com**REQUEST FOR RECONSIDERATION DENIED****ISSUE/MAILING DATE: 5/20/2008**

On December 18, 2007, applicant requested reconsideration of a final refusal issued/mailed July 27, 2004.

After careful consideration of the law and facts of the case, the examining attorney must deny the request for reconsideration and adhere to the final action as written since no new facts or reasons have been presented that are significant and compelling with regard to the point at issue.

Initially, the request was granted. On December 18, 2007, the Examining Attorney provided requirements for approval of the application. The applicant was given 30 days in which to comply. The applicant did not respond to the granted request for reconsideration. The application

Accordingly, applicant's request for reconsideration now is *denied* for failure to respond in a timely manner. The application will be forwarded to the Trademark Trial and Appeal Board (TTAB) so that the appeal process may be continued.

/Ronald E. Aikens/
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US Patent and Trademark Office
Ron.Aikens@USPTO.gov
(571) 272-9268 (d)
(571) 273-9268 (

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

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IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 5/20/2008 FOR
APPLICATION SERIAL NO. 76535843

Please follow the instructions below to continue the prosecution of your application:

VIEW OFFICE ACTION: Click on this link http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=76535843&doc_type=REC&mail_date=20080520 (or copy and paste this URL into the address field of your browser), or visit <http://tmportal.uspto.gov/external/portal/tow> and enter the application serial number to **access** the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this notification.

RESPONSE MAY BE REQUIRED: You should carefully review the Office action to determine (1) if a response is required; (2) how to respond; and (3) the applicable **response time period**. Your response deadline will be calculated from 5/20/2008.

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

1. The USPTO will NOT send a separate e-mail with the Office action attached.
2. Failure to file any required response by the applicable deadline will result in the **ABANDONMENT** of your application.